



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Use as many sheets as necessary.

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Complete if Known	
Number	10/658,122
	September 9, 2003
Inventor	James E. Toney
	2874
Name	<i>H. Stachl</i>
cket Number	BAT 0089 PA/40078.245

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language translation is attached.⁷

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Sheet 1 of 2

Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/658,122
		Filing Date	September 9, 2003
		First Named Inventor	James E. Toney
		Art Unit	2874
		Examiner Name	H. Stachin
Sheet	1	of	2
		Attorney Docket Number	BAT 0089 PA

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁴
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
MJS		WO 98 53350 A	11-26-1998	Deutsche Telekom AG	_____	
MJS		WO 01 77726 A	10-18-2001	BTG International Ltd.	_____	
MJS		EP 0 953 853 A	11-03-1999	Shin-Etsu Handotai Co.	_____	

**Examiner
Signature**

M. Stahl

Date
Considered

4/4/05

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Sheet

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Complete if known

Application Number	10/658,122
Filing Date	September 9, 2003
First Named Inventor	James E. Toney
Art Unit	2874
Examiner Name	H. Stahl
Attorney Docket Number	BAT 0089 PA

NON-PATENT LITERATURE DOCUMENTS

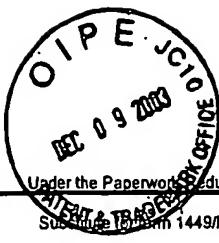
Examiner Signature	M. Shaff	Date Considered	4/4/05
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SUSPENSE TERM: 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	10/658,122
Filing Date	September 9, 2003
First Named Inventor	James E. Toney
Art Unit	2874
Examiner Name	M. Stahl

Attorney Docket Number BAT 0089 PA/40078.245

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
MJS	US- 5,335,240		08/02/1994	Ho et al.	
MJS	US- 5,406,573		04/11/1995	Ozbay et al.	
MJS	US- 5,440,421		08/08/1995	Fan et al.	
MJS	US- 5,600,483		02/04/1997	Fan et al.	
MJS	US- 5,740,287		04/14/1998	Scalora et al.	
MJS	US- 5,784,400		07/21/1998	Joannopoulos et al.	
MJS	US- 5,973,823		10/26/1999	Koops et al.	
MJS	US- 5,998,298		12/07/1999	Fleming et al.	
MJS	US- 6,042,998		03/28/2000	Brueck et al.	
MJS	US- 6,058,127		05/02/2000	Joannopoulos et al.	
MJS	US- 6,075,640		06/13/2000	Nelson	
MJS	US- 6,101,300		08/08/2000	Fan et al.	
MJS	US- 6,134,043		10/17/2000	Johnson et al.	
MJS	US- 2001/0019565 A1		09/06/2001	Iwasaki et al.	
MJS	US- 2002/0009277 A1		01/24/2002	Noda et al.	
MJS	US- 6,388,795		05/14/2002	Fleming et al.	
MJS	US- 6,392,787		05/21/2002	Cirelli et al.	
MJS	US- 6,396,617		05/28/2002	Scalora	
MJS	US- 6,448,997		09/10/2002	Koide	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁴
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
MJS	WO 02/44672 A2		06/06/2002	Frick		

Examiner Signature

M. Stahl

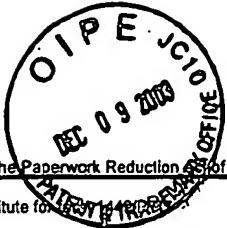
Date Considered

4/4/05

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<p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use as many sheets as necessary)</p>		Complete if Known	
		Application Number	10/658,122
		Filing Date	September 9, 2003
		First Named Inventor	James E. Toney
		Art Unit	2874
		Examiner Name	N. Shah
Sheet	2	of	3
		Attorney Docket Number	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Application Number 10/658,123

Application Number	10/658,122
Filing Date	September 9, 2003
First Named Inventor	James E. Toney
Art Unit	2874
Examiner Name	N. Stanl
Attorney Docket Number	BAT 0089 PA/40078.245

U. S. PATENT DOCUMENTS

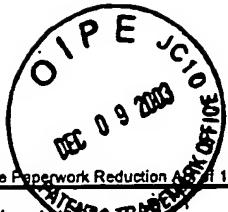
FOREIGN PATENT DOCUMENTS

Examiner Signature	M. Stahl	Date Considered	4/4/05
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Sheet

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Application Number	10/658,122
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First Named Inventor	James E. Toney
Art Unit	2874
Examiner Name	M. Stahl

Attorney Docket Number

BAT 0089 PA/40078.245

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
MJS		SATO et al.; 3-D Photonic-Crystal Heterostructures: Fabrication and In-Line Resonator; IEEE Photonics Technology Letters; June 2003; pgs. 816 - 818; Vol. 15, No. 6.	
MJS		JOHN et al.; Photonic Band Gap Materials: A Semiconductor for Light; pgs. 1- 23. (pub. source and date unknown)	
MJS		FAN et al.; Channel Drop Filters in Photonic Crystals; Optics Express; July 1998; pgs. 4 - 11; Vol. 3, No. 1.	

Examiner Signature	M. Stahl	Date Considered	4/14/05
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